

REMARKS

This application has been reviewed in light of the Office Action dated June 30, 2004. Claims 1 and 2 have been withdrawn from consideration. Claims 3 and 4 are presented for examination, of which Claim 3 is the only claim in independent form. No claim amendments appear in the present Response. Favorable reconsideration is requested.

The Office Action states that Claims 3 and 4 are rejected under 35 U.S.C. § 112, first and second paragraphs, as failing to comply with the written description requirement and as being vague and indefinite. In particular, it is alleged that the claimed recitation of a "coating layer covering a portion of a top surface of the shaving aid strip" as set forth in Claim 3 is not supported in the original disclosure, but instead "support is provided for a shaving aid strip (11) that includes multiple layers as shown in the figures, particularly Figures 3 and 4." Further, the Office Action states that it is unclear to what disclosed structure the "coating" refers, "particularly since such coatings, as disclosed, are part of the shaving aid strip and it's not clear how it can cover and be part of the strip."

The rejections under 35 U.S.C. § 112 are respectfully traversed. Applicants submit that the original disclosure provides adequate support for Claim 3 in Fig. 5 and the description thereof in the specification. (For example, see page 9, line 12, *et seq.*). In particular, Fig. 5 shows a coating 60 disposed on a portion of the surface of a shaving aid strip 22. The coating 60 is water soluble or partially water soluble, and wears off of the shaving aid strip through, *inter alia*, solubility. (See page 9, lines 13-16.) The color of the coating is different from the color of the shaving aid strip. (See page 4, line 29, to page 5, line 2.) Further,

Applicants submit that a person of ordinary skill in the relevant art would not find the claimed coating feature to be vague or indefinite, because the structure of the claimed coating is clearly disclosed in the specification. (See, for example, Fig. 5 and the portions of the specification identified above.)

Accordingly, Applicants submit that Claims 3 and 4 are clear, definite, and fully supported in the original disclosure, and therefore respectfully request withdrawal of the rejections under the first and second paragraphs of 35 U.S.C. § 112.

The Office Action states that Claims 3 and 4 are rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,388,331 (Siamak). In particular, the Office Action alleges that Siamak discloses a "shaving aid with every structural limitation of the claimed invention as best understood from the claims including a shaving aid strip (e.g., the bottom layer in Figures 3a-3j) and a coating (e.g., the top layer in Figures 3a-3j)." Applicants respectfully traverse the rejections and submit that these claims are patentably distinct from Siamak for at least the following reasons.

The present invention relates generally to a shaving aid mounted on a disposable razor cartridge used by a user with sensitive skin, and more specifically to a shaving aid that would automatically indicate to the user when the cartridge containing the shaving aid should be replaced.

The aspect of the present invention set forth in Claim 3 is directed to a shaving aid for a razor or a razor cartridge, wherein the shaving aid includes a shaving aid strip and a coating layer covering a portion of a top surface of the shaving aid strip. The portion of the

shaving aid strip covered by the coating layer is less than an entirety of the top surface of the shaving aid strip. The shaving aid strip is formed of at least shaving aid material and is of a color that is different from a color of the coating layer. The coating layer is at least partially soluble in water and, when the coating layer disappears due to exposure to water, abrasion, or a combination thereof, replacement of the shaving aid strip is indicated irrespective of wear on a blade of the razor or the razor cartridge.

As discussed above, Claim 3 is fully supported in the original disclosure. (For example, see Fig. 5 and the description thereof in the specification.)

Siamak relates to a wear indicator for indicating an amount of wear on an edge of a razor blade. Siamak specifically describes the wear indicator as being formed of a strip of material that is "abraded away by friction with the skin and hair, the strip thereby giving a visual indication of the relative wear on the razor blade." (See column 2, lines 22-27.) That is, Siamak's wear indicator is specifically intended to abrade or wear away through "abrasion and/or shear stress against the skin and hair" such that "more and more of the contrastingly colored lower layer" is shown. (See column 3, lines 47-50.) As such, Siamak's wear indicator is intended to progressively indicate how much use the edge of the blade has undergone.

The Office Action asserts that the bottom layer of Figs. 3a-3j corresponds to the claimed shaving aid strip, and that the top layer corresponds to the claimed coating layer. Applicants submit, however, that nothing has been found in Siamak that is believed to teach or suggest that Siamak's top layer "is at least partially soluble in water, and wherein replacement of the shaving aid strip is indicated when the coating layer disappears due to exposure to water,

abrasion, or a combination thereof, irrespective of wear on a blade of the razor or the razor cartridge," as recited in Claim 3.

As discussed above, the main purpose of Siamak's wear indicator is to show when a blade edge has worn out due to use. In fact, at column 5, lines 22-30, Siamak specifically states that

. . . the amount of wear undergone by strip itself is related to the "toughness" of the skin and hair being shaved . . . "tough" hair will cause the indicator strip to wear away more rapidly than "soft" hair. At the same time, the blade itself will be subjected to more wear from the "tough" hair than the "soft" hair. Thus the amount of wear on the strip correlates well with the amount of wear on the blade."

In contrast, the coating of Claim 3 is used to indicate when the shaving aid strip should be replaced.

In view of the clear indication that Siamak intended the wear on the wear indicator to correlate with the wear on the razor during shaving, Siamak is believed to clearly teach away from a wear indicator with a top coating that is water soluble or partially water soluble, as such solubility would cause the top coating to erode even in the absence of friction, and therefore would not correlate with how a blade wears with use.

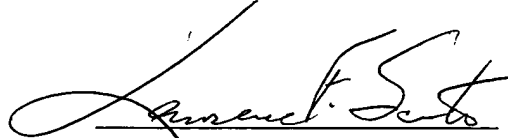
Accordingly, Applicants submit that Claim 3 is not anticipated by Siamak and respectfully request withdrawal of the rejection under 35 U.S.C. § 102. Claim 4 depends from Claim 3 and therefore is submitted to be patentable for at least the same reasons presented above. Because Claim 4 also is deemed to define an additional aspect of the present invention, individual reconsideration of the patentability of Claim 4 on its own merits is respectfully requested.

In view of the foregoing remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

CONCLUSION

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lawrence F. Scinto", written over a horizontal line.

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